

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

UNITED STATES OF AMERICA)	
)	
v.)	No. 1:07-CR-84
)	
ANDREW SUMMERS)	

MEMORANDUM AND ORDER

This criminal defendant is before the court on his motion for a continuance of his change-of-plea hearing [doc. 575]. He says that he needs additional time to arrange for the refinancing or sale of his property in order to meet his forfeiture obligations, and he is undergoing outpatient surgery and will require some time to recuperate. The government does not oppose a brief continuance.

The court finds the defendant's motion well taken. The court finds that the ends of justice served by a continuance outweigh the best interest of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A). The failure to grant a short continuance would deny the defendant an opportunity to meet his forfeiture obligations and take care of some medical problems before being taken in to custody, keeping in mind the defendant's intent to plead guilty. 18 U.S.C.

§ 3161(h)(8)(B)(iv). The court finds that all the time from the filing of the motion until the new plea date is excludable time within the meaning of the Speedy Trial Act. 18 U.S.C. § 3161(h)(8)(A).

Therefore, it is hereby **ORDERED** that the defendant's motion is **GRANTED**, and the hearing for the entry of the defendant's guilty plea is **CONTINUED** to Friday, March 28, 2008, at **2:15 p.m.** in Chattanooga.

ENTER:

s/ Leon Jordan
United States District Judge